

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION**

JAMES E. NULL AND MILDRED NULL
C/O HON. JAMES K. MURPHY
LYNCH, COX, GILMAN & MAHAN, PSC
500 W. JEFFERSON ST., STE. 2100
LOUISVILLE, KY 40202

PLAINTIFFS

V.

AMERIQUEST MORTGAGE COMPANY
1100 TOWN & COUNTRY ROAD
11TH FLOOR LEGAL DEPARTMENT
ORANGE, CA 92868

AND

NATIONS TITLE AGENCY OF INDIANA, INC.
C/O NATIONS TITLE AGENCY OF INDIANA, INC.
3939 PRIORITY WAY SOUTH DRIVE, SUITE 210
INDIANAPOLIS, IN 46240

CASE NO. 3:08-CV-47-H

AND

JON CLARK
C/O HON. NICHOLAS K. HAYNES
O'KOON HINTERMEISTER, PLLC
500 W. JEFFERSON ST., STE. 1100
LOUISVILLE, KY 40202

DEFENDANTS

ORDER DISMISSING COMPLAINT

Motion having been made, the Parties having been heard, and the Court being sufficiently advised;

IT IS HEREBY ORDERED that Plaintiffs' Complaint be DISMISSED for Lack of Subject Matter Jurisdiction. Specifically, Pursuant to Fed. R. Civ. P. 12 (b) (1) and (h) (1), and

28 U.S.C. § 1332 (a) (1), Plaintiffs' Complaint fails to support Complete Diversity of Citizenship, which Plaintiffs' explicitly rely on as the basis for proper jurisdiction.

Entered this ____ day of _____, 2008.

HON. JOHN G. HEYBURN, II

Tendered by:

/s/ Nicholas K. Haynes
HON. NICHOLAS K. HAYNES
HON. MARVIN R. O'KOON
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Distribution:

___ Hon. Nicholas K. Haynes, counsel for John Clark
___ Hon. James K. Murphy, counsel for Nulls
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